

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JOHNNY LEE JONES, III,

Plaintiff,

v.

SGT STOLK, *et al.*,

Defendants.

Case No. 3:22-cv-00502-MMD-CSD

ORDER

Pro se Plaintiff Johnny Lee Jones brings this action under 42 U.S.C. § 1983. Before the Court is the Report and Recommendation (“R&R”) of United States Magistrate Judge Craig S. Denney (ECF No. 120), recommending that the Court dismiss this action. Jones had until July 4, 2023 to file an objection. To date, no objection to the R&R has been filed. For this reason, and as explained below, the Court adopts the R&R and dismisses this action.

Because there is no objection, the Court need not conduct *de novo* review and is satisfied Judge Denney did not clearly err. *See United States v. Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and recommendations is required if, but *only* if, one or both parties file objections to the findings and recommendations.”) (emphasis in original). Here, Judge Denney recommends dismissing this action as sanctions for Plaintiff’s failure to comply with the Court’s orders and Plaintiff’s use of profanity and disrespectful conduct during court proceedings because the relevant factors weigh in favor of dismissal. (ECF No. 120 at 3-5.) The Court agrees with Judge Denney. Having reviewed the R&R and the record in this case, the Court will adopt the R&R.

It is therefore ordered that Judge Denney’s Report and Recommendation (ECF No. 120) is adopted.

1 It is further ordered that this action is dismissed without prejudice.

2 It is further ordered that Plaintiff's pending motions are denied as moot.

3 The Clerk of Court is directed to enter judgment accordingly and close this case.

4 DATED THIS 5th Day of July 2023.

A handwritten signature in blue ink, appearing to read 'Miranda M. Du', is written over a horizontal line.

6 MIRANDA M. DU
7 CHIEF UNITED STATES DISTRICT JUDGE